

STATE OF CALIFORNIA
OFFICE OF INFORMATION SECURITY & PRIVACY PROTECTION
PROPOSED CONFLICT OF INTEREST CODE
FINAL STATEMENT OF REASONS

Hearing Date: None Scheduled/None Requested

Section Affected: New section 25100, in new Chapter 4.1 entitled, "Office of Information Security & Privacy Protection – Conflict of Interest Code", of Division 8, of Title 2.

Updated Information: The Initial Statement of Reasons is included in the file. No hearing was scheduled and no one requested to have a hearing held.

Summary and Response to Comments:

Comment Number 1: Mr. Matthew Elvey (see Comments, p.1) stated that the records received as a result of compliance with the proposed regulation should be available at no cost via the Internet.

Response: The OISPP agrees with the comment, insofar as it advocates cost-free availability of such records, in that such records will be open to inspection at all times during the office hours of, and at the offices of, the agency that maintains such records (the OISPP and the Fair Political Practices Commission), and every person will have the right to inspect those records, without cost, at those agencies, except with respect to public records exempt from disclosure by express provisions of law. (See Govt. Code, § 6253.) However, the OISPP disagrees with the comment insofar as it advocates Internet posting of such records. The OISPP lacks authority to mandate Internet posting of the records received as a result of compliance with the proposed regulation.

Alternatives Determination: The OISPP has determined that no alternative considered by OISPP would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

Local Mandate Determination: The proposed regulation does not impose any mandate on local agencies or school districts.

Small Business Impact Determination: The proposed regulation will have no significant adverse economic impact on small businesses.